UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/52/209
28 June 1997

ORIGINAL: ENGLISH

Fifty-second session
Item 88 of the preliminary list*

COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACEKEEPING OPERATIONS IN ALL THEIR ASPECTS

Report of the Special Committee on Peacekeeping Operations

Rapporteur: Mr. Hossam ZAKI

I. INTRODUCTION

1. The General Assembly, in its resolution 51/136 of 13 December 1996, welcomed the report of the Special Committee on Peacekeeping Operations (A/51/130 and Corr.1), decided that the Special Committee, in accordance with its mandate, should continue its efforts for a comprehensive review of the whole question of peacekeeping operations in all their aspects, and requested the Special Committee to submit a report on its work to the Assembly at its fifty-second session.

2. By the same resolution, the General Assembly decided, inter alia, to expand the membership of the Special Committee to include, upon a written request to the Chairman of the Committee, those Member States that were past or present personnel contributors to United Nations peacekeeping operations and those that were observers at the 1996 session of the Special Committee. The members and observers of the Special Committee at its 1997 session are listed in the annex.

3. At its 140th meeting, on 10 April 1997, the Committee elected the following representatives as the Committee's officers for a term of office of one year: Ambassador Ibrahim A. Gambari (Nigeria), Chairman; Ambassador Fernando Enrique Petrella (Argentina), Ambassador David Karsgaard (Canada), Mr. Yukinari Hirose (Japan) and Mr. Zbigniew Matuszewski (Poland), Vice-Chairmen; and Mr. Hossam Zaki (Egypt), Rapporteur.

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4. The Committee also discussed its organization of work and decided to establish an open-ended working group, to be chaired by Canada, to consider the substance of the mandate entrusted to the Committee by the General Assembly in its resolution 51/136.

5. The general debate was followed by discussions in the informal open-ended Working Group, which met between 14 April and 5 May 1997. The Working Group was briefed by and exchanged views with the Secretariat on field administration and management, procurement, reimbursement, internal oversight, planning, including training and standby arrangements, demining, logistics and communications, asset management, personnel issues related to the Department of Peacekeeping Operations and humanitarian assistance in the context of peacekeeping operations. In the latter context, the Special Committee was also briefed by representatives of the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross.

II. GENERAL DEBATE AND WORKING GROUP CONSIDERATIONS

6. At its 140th to 143rd meetings, held on 10 and 11 April, the Special Committee held a general debate on the matters before it.

7. At the 140th meeting, Mr. Bernard Miyet, Under-Secretary-General for Peacekeeping Operations, reviewed the demands upon, and limitations faced by, the Department, together with its efforts to adapt. Among the developments that occurred over the past year, he cited the increased participation by Member States in the standby arrangements system, improvements in the Department's internal guidelines and the introduction of a new system of reimbursement of contingent-owned equipment. He mentioned the Secretariat's efforts to arrange adequate funding for the rapidly deployable mission headquarters, but noted that a definitive solution had not yet been found.

8. Assessing the past year, the Under-Secretary-General noted that the total number of personnel and the average size of the operations had gone down, either through streamlining or as a response to changes in the political environment. Looking towards the future, he observed that this trend may very well continue but stressed that as intrastate conflicts increased, intensive peacekeeping efforts by the international community would be necessary, followed by long-term programmes to strengthen the foundations of peace. Regional organizations had a role to play in addressing those conflicts, and cooperation between such organizations and the United Nations was growing.

9. Within the Department of Peacekeeping Operations, the Under-Secretary-General noted that it was important to consider a more efficient organization of the Department, which he already found to be "stretched thin". He also stated that it was necessary to review procurement measures, as well as recruitment and delegation of authority, and declared his intention to update them to respond better to the needs of the field. The Under-Secretary-General said he would undertake this in close consultation with other departments, noting that cooperation within the Secretariat already existed on a number of levels. Finally, he recalled that the Department had expanded while experiencing an ongoing financial crisis, a situation that had led to the extensive use of

loaned personnel. He said that this issue, as well as the financial crisis itself, would have to be addressed. Providing the Department with a more secure financial basis would be part of the process of reform, which would result in a more efficient structure. He planned to pursue the question of reform with senior colleagues; this reform would require a transition period of up to two years.

10. During the general debate that ensued and discussions in the Working Group, delegations considered both long-term trends within peacekeeping and more immediate concerns, relating particularly to finance. With regard to the larger issues affecting peacekeeping, delegations emphasized the need for clearly defined mandates, objectives, command structures and adequate resources.

11. A frequently cited issue throughout the general debate was the legal obligation of Member States to pay their assessments on time, in full and without conditions. Many delegations expressed the view that all Member States must contribute to the cost of peacekeeping in accordance with the existing special scale of assessment established by the General Assembly in its resolution 3101 (XXVIII) of 18 December 1973, which takes into account the special responsibilities of the five permanent members of the Security Council, as well as certain economic considerations. Delegations warned that non-payment of contributions could threaten the effectiveness of peacekeeping, and could affect Member States, particularly developing countries, providing troops and equipment. Many delegations stated that delayed payments could also generate many problems within the Department of Peacekeeping Operations. Most delegations supported the idea that in settling and paying agreed claims priority should be given to Member States that have fulfilled their financial obligations to the Organization, have been unable to pay assessed contributions owing to conditions beyond their control in terms of Article 19 of the Charter of the United Nations, or are net creditors to the Organization. A few delegations said that they rejected that concept.

12. Many delegations stressed the importance of the strict observance by peacekeeping operations of the principles and purposes of the Charter, referring in particular to the principles of sovereignty, territorial integrity and the political independence of States, as well as non-intervention in matters of domestic jurisdiction. Some delegations noted that the international legal basis and main guidelines for peacekeeping operations were the Charter, Security Council resolutions and international agreements concluded in the sphere of peacekeeping. They also emphasized that consent of the parties, impartiality and the non-use of force except in self-defence were essential to the success of peacekeeping operations. Many delegations stressed that peacekeeping operations must have secure financing and clearly defined mandates, objectives and command structures; it was also urged that resources and mandates should be congruent. The view was expressed that United Nations peacekeeping operations exemplified the sustained political commitment of Member States to the concept of collective security and the maintenance of international peace. Accordingly, the goal of peacekeeping should not be to separate warring factions and then to move out, leaving a big vacuum. The goal should be to go upstream towards the causes of conflicts and violence, with well-defined political will in order to resolve the root causes.

13. Many delegations placed importance on the need for close coordination between different departments of the Secretariat and components of the mission, and between the mission and other organizations involved in related tasks, including humanitarian aid. They noted the coordinating role that could be played by the Special Representative of the Secretary-General in that context. Several delegations expressed the view that humanitarian activities complementing United Nations peacekeeping operations should remain within prescribed mandates and parameters, particularly the principle of state sovereignty. A view was also expressed that an exception should be made in cases of internationally recognized disputed territories. It was noted that account should be taken of the different mandates of humanitarian organizations as well as of their independent character. The point was also made that, under certain conditions, peacekeeping operations could be an indispensable tool for ensuring respect for international humanitarian law and for restoring security conditions necessary for the delivery of humanitarian assistance.

14. Many delegations expressed concern that the distinction between the spheres of action of the General Assembly and the Security Council could be blurred. Several delegations cited the importance of a smooth transition from peacekeeping to peace-building and, in many cases, of early attention to peace-building for the success of the peacekeeping operation itself. It was also stated that United Nations civilian police might play a useful role in ensuring a smooth transition from a peacekeeping operation to a process of United Nations-assisted reconciliation and reconstruction.

15. While many delegations recognized that the responsibilities of peacekeepers did not seem to have a clear limit, particularly in relation to humanitarian activities, they underlined the importance of maintaining a clear distinction between peacekeeping operations and other types of field operations. It was noted that there appeared to be no agreed view on the matter among the representatives of humanitarian organizations. It was also noted that a clear distinction should be maintained between peacekeeping operations and peace-enforcement operations and that it was inadmissible to mix elements of both types of operations, since this - as experience has shown - could undermine the viability of peacekeeping operations and pose a serious threat to the lives of peacekeeping personnel. Several delegations expressed the belief that peacekeeping operations could need to be prepared to deal with violence in the context of discharging such tasks as the delivery of humanitarian aid, and it was suggested that consideration should be given to developing appropriate rules of engagement in consultation with prospective troop contributors.

16. The point was made that clearly defined rules of engagement were of fundamental importance in ensuring that peacekeeping troops discharge their mandate appropriately. It was also said that serious consideration should be given to devising rules of engagement for multidisciplinary peacekeeping operations deployed in complex environments. As a general principle, it was considered that rules of engagement should be sufficiently detailed to leave as little doubt as possible concerning individual and unit behaviour under various contingencies. It was also considered that rules of engagement should further include guidance concerning mutual support by personnel and units of the force as a whole and that, in formulating its recommendations, the Special Committee should give due regard to the fact that rules of engagement must be consistent

with and were largely unique to the specific mandate of each peacekeeping operation.

17. Several delegations emphasized the importance of development to ensuring peace. A new concept of "preventive development" as the best way to prevent conflict was proposed. Some delegations expressed support for the use of preventive action against conflict, stating that preventive deployment could be a useful implement in that context. The point was made that the concept of preventive deployment was a novel one which would benefit from further consideration. It was thought that particular attention should be given to establishing criteria to determine the stage at which preventive deployment had effectively fulfilled its objective and was therefore no longer necessary. The point was also made that establishing such criteria might prove difficult if seen in the abstract, without due regard to the particular circumstances of an operation deployed for preventive purposes. The view was expressed that preventive deployment was one of the alternatives to peacekeeping operations decided by the Security Council and that such deployment should fall under the criteria of principles applicable to peacekeeping operations. The view was expressed that preventive diplomacy, peacemaking and post-conflict peace-building were the cornerstones of United Nations peace efforts. It was also stated that it was important for the United Nations to evolve an early warning mechanism in order to act before the outbreak of a conflict, rather than to intervene after a conflict had erupted, since that could enhance the effectiveness of peacekeeping operations and substantially reduce their costs. The view was expressed that there should be a greater attempt to achieve political solutions of disputes, and that this could be attained by more frequent recourse to Chapter VI of the Charter of the United Nations, which provides, inter alia, for negotiation, mediation, conciliation, arbitration and good offices.

18. Many delegations noted the importance of cooperation between the United Nations and regional organizations and arrangements, and encouraged the Secretary-General to continue to hold meetings with their representatives. Several delegations expressed the view that activities undertaken by regional organizations and arrangements must be strictly in accordance with Chapter VIII of the Charter. In that regard, mention was made of the positive experience of the cooperation between the United Nations and regional organizations such as the Organization for Security and Cooperation in Europe (OSCE), the Organization of African Unity (OAU), the Organization of American States (OAS), the Commonwealth of Independent States (CIS) and others. It was stressed that, while Chapter VIII encouraged the pacific settlement of local disputes through such regional arrangements before referring them to the Security Council, it explicitly underlined that no enforcement action should be undertaken by them without the prior authorization of the Security Council. Such authorization would serve to guarantee transparency and the observance of obligations of the Charter. Some delegations cited in particular the need for enhancing cooperation and consultations between the United Nations and the Organization for African Unity, with a view to enhancing preparedness for conflict resolution and peacekeeping in Africa. In that regard, it was noted that certain proposals were of special relevance, such as enhancing the institutional capacity of OAU in providing peacekeeping training opportunities in Africa at the national and subregional levels and widening African participation in standby planning.

19. Many delegations expressed their support for the establishment of the rapidly deployable mission headquarters, and, noting the importance of information in a field operation, some delegations suggested that there be further thought about the possibility of including an information component. However, many delegations stated that questions about the rapidly deployable mission headquarters still had to be settled, particularly regarding its staffing, functions and finance, and they emphasized the need for transparency and equitable geographical distribution. Several delegations noted the implications that different forms of funding would have for staffing. Many delegations welcomed the establishment of a trust fund to finance the rapidly deployable mission headquarters on the basis that it could promote equitable geographical distribution within personnel. A proposal was also reiterated for the establishment of regional logistic bases, on neutral territory, which could work alternatively as rapidly deployable mission headquarters or early warning wings for a particular region. Those bases could employ experienced officers from Member States, on an ad hoc basis, to assist them in carrying out their functions.

20. Many delegations expressed support for the further development of the United Nations standby arrangement system as the main element for increasing the deployment capacity for peacekeeping operations of the United Nations and noted the need for additional logistics support and civilian police resources. It was noted that one of the major merits of the standby arrangements system was the combination of the overall guidance for the peacekeeping contingents, when in operation on the part of the United Nations, with the retention of national control of their training and equipment.

21. Many delegations stressed the importance of consultations between the Security Council and troop-contributing countries to the work of the Security Council, and welcomed the strengthening of that process and the steps mentioned in the statement of the President of the Security Council on 28 March 1996 (S/PRST/1996/13). Many delegations expressed the idea that such consultations could benefit from an institutional umbrella. Many delegations stressed the need to recognize the legitimate right of troop-contributing countries to be consulted by the Security Council. Other ways in which consultations could be expanded were also suggested, including inviting countries hosting operations, neighbouring States and especially affected States, as well as those Member States whose forces were co-deployed with a United Nations peacekeeping operation.

22. Many delegations voiced concern about the issue of loaned, or gratis, personnel. Many delegations stressed that loaned officers must not be resorted to as a permanent measure, regardless of the crisis of payments faced by the United Nations. Some other delegations recognized the significant work accomplished by gratis personnel. Many delegations were concerned that several units of the Department of Peacekeeping Operations were entirely staffed by loaned officers. The same delegations urged that all recruitment of personnel for the Department of Peacekeeping Operations should reflect the principle of equitable geographical representation in accordance with Articles 100 and 101 of the Charter of the United Nations, and should be pursued in a transparent manner. Attention was drawn by one delegation to the fact that, as of 31 March 1997 and compared to 31 March 1996, the United Nations-funded military

personnel within the Department of Peacekeeping Operations had declined from 21 to 18, and the loaned military personnel had increased from 112 to 119. In that regard, the same delegation stated that it did not find those numbers as indicating a fulfilment of the call by the Special Committee that the Secretary-General "correct the imbalance between United Nations-funded and loaned personnel".

23. It was also proposed that prospective senior commanders for field positions be interviewed by a panel of peacekeeping experts selected by the Secretary-General; the panel would provide advice on their suitability. It was noted that due regard should be given to the need to involve the Security Council in those matters.

24. The need for swift reimbursement of troop-contributing countries was stressed by many delegations, which warned that delayed reimbursement could seriously affect the future availability of troops for peacekeeping operations. Many delegations stated that developing countries should be given priority in the delivery of reimbursement. It was also stated that the question of adequate financing of peacekeeping activities remained of central importance. Many delegations also expressed their desire that a uniform scale of compensation of death and disability be adopted.

25. With regard to procurement for peacekeeping operations, many Member States reiterated the need for full transparency within the process, recommending that priority be given to services of equivalent standard and price from developing countries, particularly those contributing troops. Most delegations supported the idea that in awarding peacekeeping procurement contracts, all other factors being equal, preference should be given to Member States that have fulfilled their financial obligations to the Organization, have been unable to pay assessed contributions owing to conditions beyond their control in terms of Article 19 of the Charter, or were net creditors to the Organization. A few delegations said that they rejected that concept.

26. Many delegations stressed the importance of high-quality training for those engaged in peacekeeping operations. In that context, many Member States welcomed the production by the Department of Peacekeeping Operations of a code of conduct for peacekeepers, and expressed support for the production by the United Nations of guidelines for national training for peacekeeping. The view was expressed that the Special Committee should be given the opportunity to review such documents prior to their publication. Support was also expressed for the development of United Nations training assistance teams, and for the initiative to establish civilian police selection teams. Attention was drawn to the training assistance team seminars, such as the one held recently in Brazil.

27. Many delegations voiced their concern that those engaged in United Nations peacekeeping operations frequently served in dangerous conditions. In view of this, they expressed their hope that the Convention on the Safety of United Nations and Associated Personnel would soon obtain the status of a universally recognized legal instrument. In that connection, a number of delegations welcomed the timely adoption of General Assembly resolution 51/137 of 13 December 1996.

28. Many delegations cited the importance of mine clearance at the early stages of an operation, and recommended that operational demining be an integral part of peacekeeping mandates when appropriate. The need for better coordination of United Nations demining efforts was emphasized. At the same time, it was important to distinguish between operational and humanitarian demining.

29. At a time when the United Nations needed to be able to respond to demands for peacekeeping with decreasing costs, many delegations urged that the Department of Peacekeeping Operations should identify core, surge and specialist functions, and work to create appropriate structures. They recommended that logistical ability be strengthened, both through review of contractual and financial procedures of the Organization and through greater improvements of the United Nations Logistics Base at Brindisi, which they recognized as being a useful initiative.

30. Many delegations called for further support for the role of civilian police within peacekeeping operations, and welcomed the initiative to establish the civilian police selection assistance teams.

31. Citing the importance of incorporating in future operations the wisdom acquired in previous missions, many delegations urged that the Lessons Learned Unit should be given regular and predictable financing. A suggestion was made that the work of the Lessons Learned Unit as well as draft documentation prepared by the Secretariat be considered by the Special Committee prior to their distribution to all Member States.

32. All delegations welcomed the enlargement of the Special Committee, and emphasized its important role in considering all aspects of peacekeeping. Many delegations stressed its importance as the only proper forum in the United Nations with the mandate to comprehensively review the whole question of peacekeeping operations in all their aspects. An observation was made that the Special Committee played an invaluable role as one of the United Nations bodies best suited to the discussion, development and refinement of the various conceptual and operational aspects of peacekeeping operations. Some delegations expressed the view that due regard to the expanded membership of the Committee could be achieved by either expanding the Bureau or rotating its composition.

33. In that regard, some delegations drew attention to the fact that the composition of the Committee's Bureau had, in most instances, remained static, whereas the role and scope of peacekeeping had increased dramatically. A specific proposal was made that the regional electoral groups should nominate their respective representatives on the Bureau of the Special Committee and that the post of Rapporteur should also be rotated among those groups. Some delegations supported that proposal. However, many other delegations did not concur with it and expressed their satisfaction with the present composition of the Bureau. Discussions on the proposal were inconclusive.

III. PROPOSALS, RECOMMENDATIONS AND CONCLUSIONS

A. Introduction

34. The Special Committee recalls that the primary responsibility for the maintenance of international peace and security rests with the United Nations and affirms that peacekeeping continues to be one of the key instruments available to the United Nations in discharging that responsibility.

35. While noting the recent trends, including the decrease in the establishment of new peacekeeping operations, the total number of personnel involved in and the average size of operations, the Special Committee considers it essential for the United Nations to be able to continue to maintain international peace and security, in accordance with the Charter, inter alia, by effectively planning, deploying and managing current and future peacekeeping operations.

36. While peacekeeping is used to prevent conflict situations from escalating while ways to resolve the conflict peacefully are being pursued, it is not a preferred method of containing conflicts. The Special Committee therefore continues to attach great importance to the prevention and early resolution of conflict, which can reduce the need for the establishment of new and costly peacekeeping operations, and urges the United Nations and the parties concerned to continue to explore ways to do more in this regard in accordance with Chapter VI of the Charter. It notes that the use of preventive deployment in a particular case is a factor contributing to the maintenance of peace and security and notes that this particular case could be considered further.

37. The Special Committee takes note of the ongoing work of the Informal Open-ended Working Group on An Agenda for Peace on the issues of preventive diplomacy, peacemaking, sanctions, coordination and post-conflict peace-building.

38. The Special Committee stresses the importance of the consistent application of the principles and standards it has set forth for the establishment and conduct of peacekeeping operations, and also emphasizes the need to continue to consider those principles, as well as peacekeeping definitions, in a systematic fashion and in the light of the lessons learned from peacekeeping operations.

39. The Special Committee welcomes its enlargement and stresses its role as the only forum in the United Nations with the mandate to comprehensively review the whole question of peacekeeping operations in all their aspects, including measures aimed at enhancing the capacity of the Organization to conduct peacekeeping operations.

B. Guiding principles, definitions and implementation of mandates

40. The Special Committee stresses that peacekeeping operations should strictly observe the principles and purposes enshrined in the Charter of the United Nations. It emphasizes that respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters that are essentially within the domestic jurisdiction of any State is

crucial to common efforts, including peacekeeping operations, to promote international peace and security.

41. The Special Committee believes that respect for basic principles of peacekeeping, such as the consent of the parties, impartiality and the non-use of force except in self-defence, are essential to its success.

42. The Special Committee believes that peacekeeping operations should not be used as a substitute for addressing the root causes of the conflict. These causes should be addressed in a coherent, well-planned, coordinated and comprehensive manner with political, social, economic and developmental instruments. Consideration should be given to ways in which these efforts can continue without interruption after the departure of a peacekeeping operation, so as to ensure lasting peace and security.

43. The Special Committee continues to stress the importance of peacekeeping operations being provided with clearly defined mandates, objectives, command structures and secure financing in support of efforts to achieve peaceful solutions to conflicts. It also stresses the need to ensure, in the formulation and implementation of mandates, congruity between mandates, resources and objectives. It emphasizes further that, when changes to existing mandates are made, commensurate changes should be made in the resources available to the peacekeeping operation to carry out its new mandate. Changes in mandates during a mission should be based on a thorough and timely reassessment, including military advice, as to the implications on the ground for both military and civilian components and after a full discussion between troop-contributing countries and the Security Council.

44. The Special Committee stresses the need to ensure the unity of command of United Nations peacekeeping operations. It recalls that the overall political direction and control of United Nations-mandated peacekeeping operations devolves upon the Security Council. It also recalls that the execution of United Nations peacekeeping is the responsibility of the Secretary-General.

C. Consultations

45. The Special Committee, stressing the requirement for consultations between troop contributors and the Security Council, underlines the importance of Council members and troop-contributing countries making full use of the arrangements set out in the statement of the President of the Security Council on 28 March 1996 (S/PRST/1996/13). In this connection, the Special Committee encourages the Security Council to take steps more formally to ensure the rigorous, timely and systematic implementation of those arrangements and to continue to ensure that consultations on mandates and those on operational questions are chaired by the President of the Council and by the Secretariat respectively.

46. The Special Committee notes that the arrangements described in the statement of 28 March are not exhaustive and will be kept under review, and that the arrangements do not preclude consultations in a variety of forms, including, as appropriate, with other countries especially affected, for example countries

from the region concerned. The Special Committee also recommends that, in exceptional circumstances, meetings could be held at the request of troop-contributing countries.

D. Enhancing the capacity of the United Nations for peacekeeping

1. Personnel

47. The Special Committee emphasizes once again that all the provisions of Articles 100 and 101 of the Charter should be fully and strictly observed in the management and conduct of peacekeeping operations.

48. The Special Committee also emphasizes that full consideration should be given to all offers made by Member States to participate in peacekeeping operations.

49. To ensure that peacekeeping operations are led and managed by the best available personnel, the Special Committee requests that the Secretary-General consider the possibility of improving the method of selecting and preparing senior military commanders in the light of the increasingly difficult and dangerous conditions in which peacekeeping operations are conducted. The Special Committee further recommends that the Secretary-General consider strengthening the selection and preparation procedures for chief administrative officers.

50. The Special Committee stresses that in the interest of sound personnel management it is necessary to have clearly enunciated and uniformly applied policies, including on tenure and remuneration of staff through trust funds, for personnel in the United Nations Secretariat who are not part of the international civil service or general service but who are involved in the management and conduct of peacekeeping operations.

51. The Special Committee notes with satisfaction that the principle of a standardized rate of mission subsistence allowance is applicable to all observers and that standardized troop costs are applied uniformly to all troops participating in any particular peacekeeping operation. It recommends the extension of this principle to death and disability compensation for all observers and troops. It urges the competent bodies of the United Nations to accord the highest priority to finding a solution, taking into account this principle and the principles endorsed by the General Assembly in resolutions 49/233 of 23 December 1994 and 50/223 of 11 April 1996.

52. While noting the important work done by all personnel in the Department of Peacekeeping Operations, including personnel on loan, the Special Committee notes with concern the continuing and growing imbalance within the Department between posts financed from the regular budget and the support account for peacekeeping and officers on loan. Articles 100 and 101 of the Charter should be strictly applied to all personnel, and developing countries should be adequately represented in the Department of Peacekeeping Operations. The Special Committee urges the Secretary-General to address the reliance on loaned and seconded personnel within the Department and recalls that, while personnel

on loan may be needed for urgent requirements for expertise not available within the Organization, resort to their use should be made with due regard to the importance of maintaining as wide a geographical basis as possible and for a limited and specified period. In this connection, the Special Committee notes that, in order to ensure transparency, all Member States should be notified in good time of any requirements for loaned personnel.

53. The Special Committee recalls that it had urged the Secretary-General and the competent bodies of the General Assembly to provide for United Nations financing of posts occupied by officers on loan, and takes note in this connection of the reports of the Secretary-General (A/51/688 and Corr.1 and Add.1 and 2) and of the Advisory Committee on Administrative and Budgetary Questions (A/51/813). It notes that the relevant bodies of the General Assembly remain seized of this issue, and welcomes the request made to the Secretary-General, on an interim basis and pending further consideration and final decision on the issue, not to expand the number of loaned personnel currently implementing mandated activities. The Special Committee requests that the Department of Peacekeeping Operations keep it informed on a regular basis on the issue of loaned personnel and the measures being formulated and implemented for correcting the imbalance.

2. Organization, planning and coordination

54. The Special Committee welcomes the intention of the Secretary-General to continue his efforts to improve the structure and organization of the Department of Peacekeeping Operations and encourages him to intensify those efforts. It considers that those efforts should include the development of appropriate structures, at Headquarters and in the field, for periods of both low- and high-intensity activity in United Nations peacekeeping and, to that end, include the identification of functions and positions necessary for the efficient management of peacekeeping operations during those periods. The Special Committee stresses the responsibility of the Secretary-General, in the context of the process of restructuring the Department, to give due regard to equitable geographical representation and the objective to achieve gender balance within the Secretariat. Without prejudice to these considerations, it recognizes the particular value to the Department of Peacekeeping Operations of experienced personnel from present and past troop-contributing countries.

55. The Special Committee welcomes the stated intention of the Secretariat to review the structure and reform outdated policies and procedures in the Department of Peacekeeping Operations with a view to achieving streamlined and transparent procedures, in particular in the areas of procurement, recruitment, accountability and delegations of authority.

56. The Special Committee encourages the Secretariat to continue efforts to enhance the transparency, efficiency and responsiveness of its procurement procedures. It fully supports the intention of the Secretariat to double the United Nations procurement vendor register and expand its geographic basis. It strongly urges the publication of the register and dissemination of information on procurement procedures, including through United Nations information centres and United Nations offices. In awarding a contract, the principle of public

bidding should be strictly observed. While noting the decline in exceptions to the rule of open, international, competitive bidding, the Special Committee reiterates the need to document in writing the reasons for such exceptions. It also emphasizes the importance of the timely awarding of transport contracts, and the enforcement of penalty provisions for non-performance of transport and procurement contracts. It recommends the delegation of procurement authority to field missions to include civilian contracts as well as the provision of military supplies up to an appropriate level.

57. In order to achieve the efficient utilization of resources and the streamlined and transparent financial and budgetary procedures envisaged in resolution 49/233, the Special Committee urges the Department of Peacekeeping Operations to develop a coherent strategy for logistic support of peacekeeping operations. In view of the cost to Member States of poorly managed peacekeeping assets, as detailed in reports of the Office of Internal Oversight Services, the Special Committee expresses its concern that little progress has been made in implementing an inventory and matériel control system. From the above-mentioned strategy, a well-considered, comprehensive and clearly stated matériel management policy should be derived to guide the development of a workable inventory and matériel control system.

58. The Special Committee notes the potential value, if managed effectively and efficiently, of a logistics base. It notes the intention of the Secretary-General to provide a cost-benefit analysis of the United Nations Logistics Base at Brindisi, as suggested by the Advisory Committee on Administrative and Budgetary Questions in its report (A/50/985, para. 17) and in that context requests the competent bodies to examine the issue further, taking into account the observations and recommendations in the recent report of the Office of Internal Oversight Services (A/51/803).

59. The Special Committee considers that rules of engagement are of fundamental importance in ensuring that peacekeeping troops discharge their mandates appropriately and are vital to the success of peacekeeping operations. The Special Committee further considers that rules of engagement should be consistent with the specific mandate and political purposes of each peacekeeping operation and that clearly defined rules of engagement should address all possible contingencies. The Special Committee encourages the Secretariat to discuss the rules of engagement for a specific peacekeeping operation with prospective troop contributors, prior to the finalization of those rules.

60. In order to assist Member States in formulating timely decisions on troop contributions, the Secretariat is encouraged in the early stages of conceptual planning to brief potential troop contributors on proposed concepts of operations as they are developing.

61. The Special Committee notes the introduction of the new contingent-owned equipment procedures in accordance with General Assembly resolution 50/222 of 11 April 1996. It reiterates the need to implement in full all the recommendations approved by the General Assembly in that regard and, as envisaged in that resolution, to submit to the competent bodies a detailed report on the experience of implementing the new procedures for further consideration of the issue.

62. The Special Committee reaffirms the importance of an effective public information capacity as an integral part of peacekeeping operations developed in close cooperation with the Department of Public Information. This capacity should be appropriate to the size and tasks of the operation, planned and deployed as early as possible, so as to inform local populations and the international media about the nature, scope and objectives of an operation.

63. The Special Committee takes note of the useful work being done by the Lessons Learned Unit and recommends that the Secretary-General seek stable, predictable financing for the Unit. The Special Committee encourages the Lessons Learned Unit to continue to benefit from the experience of troop-contributing countries, and to use in its work conclusions resulting from their national experience acquired in peacekeeping operations in the field. The Special Committee considers it important that the work of the Unit be distributed to Member States and to the Special Committee for its consideration, which could contribute to increasing the effectiveness of this work. In this connection, the Special Committee urges the Secretariat to provide the already completed studies of the Lessons Learned Unit in all the official languages of the United Nations as soon as possible and in future to provide its studies in all the official languages in a timely fashion.

64. The Special Committee draws attention to the need for the effective coordination of all aspects of a peacekeeping operation under the control of the Special Representative of the Secretary-General, both within the Organization and with other agencies involved in the theatre of operations. The Special Committee emphasizes the need to differentiate between peacekeeping operations and humanitarian assistance. It also considers that peacekeeping operations can play a role, subject to the mandates established by the Security Council, in contributing to the creation of a secure environment for the effective delivery of humanitarian relief assistance. Accordingly, the Special Committee believes there would be value in achieving improved coordination between peacekeeping operations and the United Nations and other agencies or organizations within their given mandates.

65. The Special Committee welcomes the interest of the Security Council in the question of demining in the context of peacekeeping operations (S/PRST/1996/37). The task of operational mine clearance by peacekeeping operations, wherever appropriate, is the responsibility of the Department of Peacekeeping Operations, particularly for the safety of peacekeeping personnel and the effectiveness of their tasks. It stresses that humanitarian mine clearance activities should be conducted under the responsibility of the Department of Humanitarian Affairs. The Special Committee reiterates the need for a more coordinated approach between these two Departments in order to avoid duplication and to ensure a coherent and integrated approach towards the whole range of short- and long-term demining needs. It requests the Secretary-General to keep the Special Committee informed of United Nations experience in demining in peacekeeping operations, taking into account inputs from those involved in such activities.

66. The Special Committee expresses its appreciation to the Secretary-General for the publication of the third edition of The Blue Helmets, as recommended in its report (A/50/230).

3. Safety and security

67. The Special Committee expresses its grave concern at the continuing attacks and acts of violence against United Nations and associated personnel. It urges all Member States that have not yet done so to consider ratifying, accepting, approving or acceding to the Convention on the Safety of United Nations and Associated Personnel, to bring about its entry into force at the earliest possible date. In this regard, the Special Committee notes the adoption by the General Assembly of resolution 51/137.

68. The Special Committee also welcomes the statement of the President of the Security Council on 12 March 1997 (S/1997/PRST/13), which emphasizes that the host country and others concerned must take all appropriate steps to ensure the safety and security of United Nations and associated personnel.

69. The Special Committee reaffirms that safety and security constitute integral elements of the planning of peacekeeping operations. It recognizes that elaboration of a comprehensive security plan upon the start-up of a peacekeeping operation is essential. The Special Committee also stresses the need for adequate budgetary provisions to ensure the security of peacekeeping personnel.

4. Training

70. The Special Committee, while reaffirming that the training of personnel contributed to peacekeeping operations is essentially the responsibility of Member States, affirms that the United Nations has an important role to play in assisting such training activity, not just for military tasks but also for civilian policing, in establishing basic guidelines and performance standards and in providing advisory services and descriptive materials, and encourages the Training Unit to continue its efforts in promoting standard training norms for United Nations peacekeeping personnel.

71. The Special Committee welcomes the progress that has been made in implementing the recommendations in its report (A/51/130 and Corr.1), in particular in the expanded use of training assistance teams and in developing regional pools of instructors.

72. The Special Committee once again stresses the importance of training material being made available in the official languages of the Organization, as well as, where practicable, in other languages used by peacekeeping personnel, and encourages the Department of Peacekeeping Operations to continue its efforts in this regard.

73. The Special Committee notes the efforts made by the Secretariat to complete a code of conduct for peacekeeping personnel, and urges the early completion of guides and manuals for the activity of Headquarters personnel.

5. Civilian police

74. In view of the role and increasing number of civilian police in United Nations peacekeeping operations, the Special Committee once again urges the Secretary-General to continue his efforts to strengthen the Civilian Police Unit within the Department of Peacekeeping Operations. In this regard, it welcomes the usefulness and cost-effectiveness of selection assistance teams to assist in selecting civilian police for duty in peacekeeping operations.

75. The Special Committee considers that, in conducting a peacekeeping operation, care should be taken to ensure that, consistent with the mandate, police and military tasks should be clearly differentiated.

76. The Special Committee considers that, within the context of peacekeeping operations, civilian police can play a major role, through assistance to local police forces, in restoring civil order, supporting the rule of law and fostering civil reconciliation.

77. The Special Committee encourages Member States to include police elements among those units they identify in standby arrangements with the United Nations, including such information as type of police corps, rank and training. It also welcomes the Secretariat's intention to include a civilian police staff element in its development of a rapidly deployable headquarters capacity.

6. Rapid deployment and standby arrangements

78. The Special Committee believes that the United Nations should be able to deploy a peacekeeping operation promptly on the adoption of an authorizing mandate by the Security Council. It commends the Secretariat for its continuing efforts to address this issue, encourages it to intensify its efforts and expresses the hope that the ongoing reform of the Department of Peacekeeping Operations will also contribute to the more rapid deployment of peacekeeping operations.

79. The Special Committee believes that standby arrangements constitute a key to the increased effectiveness and rapid deployment capacity of peacekeeping operations. It welcomes in particular the progress report of the Secretary-General on standby arrangements (S/1996/1067) and the Secretariat's efforts to improve the arrangements and encourages it to continue to brief Member States periodically on developments. The Special Committee takes note of the lack of certain specialized units in standby arrangements and invites Member States to consider participating in such areas as headquarters support, sea/airlift provision, communications personnel, engineers, and logistics and medical staff. The Special Committee also takes note of the need to broaden the geographical base of Member States making resources available under the standby arrangements.

80. The Special Committee welcomes the effort of the Secretariat in providing information on the establishment of the rapidly deployable mission headquarters unit and requests that the Committee be kept informed regularly on all aspects of the plan for its implementation. It also stresses that the trust fund for

the headquarters be managed in a transparent manner with sufficient funds to fulfil mandated tasks and staffing according to established procedures.

7. Finances

81. The Special Committee stresses that adequate financial resources and support are crucial to the effectiveness of United Nations peacekeeping operations and reaffirms that the expenses of peacekeeping operations are expenses of the Organization to be borne by Member States in accordance with the relevant provisions of the Charter and relevant resolutions of the General Assembly. It stresses further that Member States' contributions must be paid in full, on time and without conditions so as not to undermine the effectiveness of peacekeeping operations, and reaffirms the obligation of Member States under Article 17 of the Charter to bear the expenses of the Organization as apportioned by the General Assembly, bearing in mind the special responsibility of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963. It urges Member States to take advantage of the reduced level of peacekeeping assessments to address the issue of arrears to existing and completed operations.

82. The Special Committee urges the Secretary-General to accord high priority to the processing of pending claims, including those for troops and equipment provided by Member States to operations whose mandates have concluded, inter alia, through the provision of an adequate level of United Nations personnel to those units of the Secretariat dealing with these issues. It expresses concern about continuing protracted delays in the reimbursement of troop contributors that are currently owed by the Organization an amount estimated by the Secretariat to be $1.2 billion, and reiterates the need for reimbursement to take place as soon as possible. It recognizes that delays in reimbursement cause hardship to all troop- and equipment-contributing countries, and specifically developing countries, and adversely affect future contributions to peacekeeping operations.

83. The Special Committee requests the Secretary-General to address as a matter of priority the operational and financial liquidation of completed operations, with a view to finding mutually agreed arrangements with the troop- and equipment-contributing Member States concerned.

84. The Special Committee draws attention to the important contribution that status-of-forces agreements make to the effectiveness of peacekeeping operations, and expresses concern at reports by the Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions that not all the financial and other terms of some status-of-forces agreements are being complied with. It requests the Secretary-General to withhold claims submitted by the Member States concerned until the matter of expenditures is resolved. It further endorses the request of the Advisory Committee on Administrative and Budgetary Questions (A/51/491) for a compendium of all instances in which the Organization is due restitution as a result of non-compliance with status of forces or other agreements.

E. Cooperation with regional arrangements

85. Bearing in mind the primacy of the United Nations in the maintenance of international peace and security, the Special Committee reaffirms the important contribution that regional arrangements and agencies can make in this regard, in accordance with Chapter VIII of the Charter, including, where appropriate, to peacekeeping.

86. The Special Committee emphasizes that, in accordance with Article 53 of the Charter, no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council. Furthermore, the Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

87. The Special Committee encourages the strengthening of cooperation between the United Nations and regional arrangements and agencies, within their respective mandates, scope and composition, to enhance the capabilities of the international community in the maintenance of international peace and security, appreciates the possibility of practical realization of such cooperation at the regional and subregional level and also encourages the Secretary-General to take concrete steps to that end. In this regard, the Special Committee notes the successful experience of cooperation between the United Nations and a number of regional and subregional arrangements and agencies.

88. In this context, the Special Committee underlines the important role of the Organization of African Unity and its mechanism for conflict prevention, management and resolution and the need for enhancing consultation and cooperation between the United Nations and OAU, with a view to improving preparedness for conflict prevention and peacekeeping in Africa.

89. The Special Committee recalls the report of the Secretary-General on improving preparedness for conflict prevention and peacekeeping in Africa (A/50/711-S/1995/911) and recommends that the United Nations, in consultation and coordination with OAU and with the cooperation of Member States, give particular attention to strengthening the institutional capacity of OAU, to organizing training programmes for military personnel of African countries and to mobilizing assistance, in particular logistical and financial support to African peacekeeping capacity and to the activities of OAU in conflict prevention, management and resolution. The Special Committee requests the Secretary-General to submit a report to the General Assembly, at its fifty-second session, on the measures taken to this end.

90. The Special Committee encourages the Secretary-General to continue to discuss cooperation in the field of peacekeeping in his meetings on cooperation between the United Nations and regional organizations, and to report on those meetings to Member States. It also encourages the Secretariat to develop working-level contact with such organizations.

F. Other matters

91. The Special Committee, recognizing that 1998 marks the fiftieth anniversary of peacekeeping, recommends that part of the first day of the fifty-third session of the General Assembly be dedicated to a commemorative meeting to remember those who have served in peacekeeping operations, especially those who have lost their lives under the United Nations flag. It requests Member States and the Secretariat to arrange activities to commemorate this event and to honour those who served in peacekeeping operations of the past 50 years, especially those who lost their lives in the service of the United Nations.

92. The Special Committee requests the Secretary-General to submit a report on the progress made in the implementation of its recommendations in the present report on which specific reports have not been requested, prior to its 1998 session, so as to enable the Special Committee to review that progress.

ANNEX

Composition of the Special Committee on Peacekeeping Operations at its 1997 session

Members: Afghanistan, Algeria, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Brazil, Bulgaria, Canada, Chile, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Mali, Mauritania, Mexico, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sudan, Sweden, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia and Zimbabwe.

Observers: Armenia, Bolivia, Côte d'Ivoire, Iceland, Latvia, Republic of Moldova, Slovenia, Switzerland, Syrian Arab Republic, the former Yugoslav Republic of Macedonia and Viet Nam; United Nations Children's Fund and International Committee of the Red Cross.